

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

In Re:	:	Case No. 04-14987
	:	
Sight Resource Corp. <i>et al.</i> ,	:	Chapter 11 – Judge Hopkins
	:	
Debtors.	:	

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The Official Committee of Unsecured	:	
Creditors of Sight Resource Corporation	:	
c/o Kegler, Brown, Hill & Ritter Co., L.P.A.	:	
65 East State Street, Suite 1800	:	
Columbus, Ohio 43215,	:	
	:	
Plaintiff,	:	Adv. Pro. No. _____
	:	
vs.	:	
	:	
Insight Equity A.P.X., LP, dba Vision-Ease	:	
Lens	:	
c/o President or CEO	:	
1400 Civic Place, Suite 250	:	
Southlake, Texas 76092,	:	
	:	
Defendant.	:	

**COMPLAINT TO AVOID TRANSFERS OF
PROPERTY OF THE ESTATE**

1. Plaintiff is the duly acting and qualified Official Committee of Unsecured Creditors (the “Committee”) in the chapter 11 case commenced by the filing of a voluntary petition on June 24, 2004.

2. This Court has jurisdiction over this matter by reason of 28 U.S.C. §1334, 28 U.S.C. §157(b) and the General Order of Reference in this District. This Complaint states a claim or claims which are core proceedings as provided in 28 U.S.C. §157(b)(2)(B), (C), (D), (E) and (F).

3. Defendant Insight Equity A.P.X., LP, dba Vision-Ease Lens (“Defendant”) is a general, unsecured creditor of Debtor. At times relevant to this action, Defendant provided goods consisting of materials used in Debtor’s business operations.

4. Within ninety (90) days prior to the Petition Date, Debtor made the following transfers of property, consisting of payments on account, in the following amounts and on the following dates (the "Pre-Petition Payments"):

<u>Check Numbers</u>	<u>Check Dates</u>	<u>Amount</u>
085308	4/7/04	5,000.74
085533	4/15/04	5,013.13
085892	4/29/04	5,009.79
086017	5/10/04	7,518.56
086353	5/21/04	8,675.67
086711	6/4/04	7,440.24
086888	6/11/04	5,134.13
086943	6/17/04	<u>3,176.84</u>
Total of Pre-Petition Payments		\$46,969.10

FIRST CLAIM
11 U.S.C. §547(b)

5. The Pre-Petition Payments from Debtor to Defendant were made to Defendant for its benefit.

6. The Pre-Petition Payments were made by Debtor to Defendant on account of an antecedent debt owed by the Debtor before such transfer was made.

7. The Pre-Petition Payments were made while the Debtor was insolvent.

8. The Pre-Petition Payments were made to Defendant on or within ninety (90) days before the Petition Date.

9. The Pre-Petition Payments enabled Defendant to receive more than it would have received if the case were a case under chapter 7 of Title 11; the transfers had not been made; and Defendant had received payment of such debt to the extent provided for by the provisions of Title 11.

SECOND CLAIM
11 U.S.C. §550(a)

10. Plaintiff restates the allegations contained in the preceding paragraphs as if fully rewritten herein.

11. Debtor is entitled to recover the value of the Pre-Petition Payments, \$46,969.10 from Defendant under the provisions of 11 U.S.C. §550(a).

THIRD CLAIM
DISALLOWANCE OF CLAIM
11 U.S.C. §502(d)

12. The allegations of the preceding paragraphs are incorporated herein by reference.

13. Defendant is a creditor herein by virtue of an account listed in Schedule F filed by the Debtor on July 29, 2004 in the amount of \$46,969.10.

14. Debtor is entitled to an Order disallowing the claim of Defendant under the provisions of 11 U.S.C. §502(d) unless Defendant surrenders the preference and the unauthorized post-petition transfer described herein.

WHEREFORE, Plaintiff demands judgment against Defendant Insight Equity A.P.X., LP, dba Vision-Ease Lens avoiding the Pre-Petition Payments totaling \$46,969.10; for judgment for compensatory damages against Defendant Insight Equity A.P.X., LP, dba Vision-Ease Lens in the amount of the avoided transfers; for judgment disallowing any claim of Defendant Insight Equity A.P.X., LP, dba Vision-Ease Lens until such time as the avoided transfers have been returned to Plaintiff; for interest on compensatory damages at the maximum rate permitted by law from the date of each transfer; and for such other or further relief to which Plaintiff may be entitled.

/s/ Stephanie P. Union

Larry J. McClatchey (0012191)

Stephanie P. Union (0071092)

Kegler, Brown, Hill & Ritter

65 E. State Street, Ste. 1800

Columbus, Ohio 43215

Telephone: (614) 462-5400

Fax: (614) 464-2634

Attorneys for Plaintiff

lmccclatchey@keglerbrown.com

sunion@keglerbrown.com